

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

HAZEL M. ROBY, etc.,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:05CV494-MHT
)	[WO]
BENTON EXPRESS, INC., et al.,)	
)	
Defendants.)	

ORDER ON MOTION

For good cause, it is

ORDERED that the plaintiff's Motion for Order Expediting Autopsy and Toxicology Reports, filed on 9 February 2006 (Doc. # 88), be DENIED. The motion is denied because (1) the time for discovery in this case expired on 16 December 2005, and (2) the Alabama Department of Forensic Sciences is a non-party, and (3) in any case, there is no evidence that the Department refused to comply with a duly issued subpoena served before the expiration of discovery.

DONE this 13th day of February, 2006.

/s/ Vanzetta Penn McPherson
VANZETTA PENN MCPHERSON
UNITED STATES MAGISTRATE JUDGE

